



**Minnesota Pollution  
Control Agency**

520 Lafayette Road North  
St. Paul, MN 55155-4194

# MS4 SWPPP Application for Reauthorization

**for the NPDES/SDS General Small Municipal Separate  
Storm Sewer System (MS4) Permit MNR040000  
reissued with an effective date of August 1, 2013**  
Stormwater Pollution Prevention Program (SWPPP) Document

Doc Type: Permit Application

**Instructions:** This application is for authorization to discharge stormwater associated with Municipal Separate Storm Sewer Systems (MS4s) under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit Program. **No fee** is required with the submittal of this application. Please refer to "Example" for detailed instructions found on the Minnesota Pollution Control Agency (MPCA) MS4 website at <http://www.pca.state.mn.us/ms4>.

**Submittal:** This MS4 SWPPP Application for Reauthorization form must be submitted electronically via e-mail to the MPCA at [ms4permitprogram.pca@state.mn.us](mailto:ms4permitprogram.pca@state.mn.us) from the person that is duly authorized to certify this form. All questions with an asterisk (\*) are required fields. All applications will be returned if required fields are not completed.

**Questions:** Contact Claudia Hochstein at 651-757-2881 or [claudia.hochstein@state.mn.us](mailto:claudia.hochstein@state.mn.us), Dan Miller at 651-757-2246 or [daniel.miller@state.mn.us](mailto:daniel.miller@state.mn.us), or call toll-free at 800-657-3864.

## General Contact Information (\*Required fields)

### MS4 Owner (with ownership or operational responsibility, or control of the MS4)

\*MS4 permittee name: Town of Big Lake \*County: Sherburne  
(city, county, municipality, government agency or other entity)

\*Mailing address: PO Box 75

\*City: Big Lake \*State: MN \*Zip code: 55309

\*Phone (including area code): 763-263-8111 \*E-mail: bltwp@windstream.net

### MS4 General contact (with Stormwater Pollution Prevention Program [SWPPP] implementation responsibility)

\*Last name: Hayes \*First name: Laura  
(department head, MS4 coordinator, consultant, etc.)

\*Title: Town Clerk

\*Mailing address: PO Box 75

\*City: Big Lake \*State: MN \*Zip code: 55309

\*Phone (including area code): 763-263-8111 \*E-mail: bltwp@windstream.net

### Preparer information (complete if SWPPP application is prepared by a party other than MS4 General contact)

Last name: \_\_\_\_\_ First name: \_\_\_\_\_  
(department head, MS4 coordinator, consultant, etc.)

Title: \_\_\_\_\_

Mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Phone (including area code): \_\_\_\_\_ E-mail: \_\_\_\_\_

## Verification

1. I seek to continue discharging stormwater associated with a small MS4 after the effective date of this Permit, and shall submit this MS4 SWPPP Application for Reauthorization form, in accordance with the schedule in Appendix A, Table 1, with the SWPPP document completed in accordance with the Permit (Part II.D.). ☒ Yes
2. I have read and understand the NPDES/SDS MS4 General Permit and certify that we intend to comply with all requirements of the Permit. ☒ Yes

## Certification (All fields are required)

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- ☒ Yes - I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

*I certify that based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.*

*I am aware that there are significant penalties for submitting false information, including the possibility of civil and criminal penalties.*

This certification is required by Minn. Stat. §§ 7001.0070 and 7001.0540. The authorized person with overall, MS4 legal responsibility must certify the application (principal executive officer or a ranking elected official).

By typing my name in the following box, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing my application.

Name: Laura Hayes

*(This document has been electronically signed)*

Title: Clerk

Date (mm/dd/yyyy): 12/26/2013

Mailing address: PO Box 75

City: Big Lake

State: MN

Zip code: 55309

Phone (including area code): 763-263-8111

E-mail: bltwp@windstream.net

**Note:** The application will not be  
processed without certification.

# Stormwater Pollution Prevention Program Document

## I. Partnerships: (Part II.D.1)

- A. List the **regulated small MS4(s)** with which you have established a partnership in order to satisfy one or more requirements of this Permit. Indicate which Minimum Control Measure (MCM) requirements or other program components that each partnership helps to accomplish (List all that apply). Check the box below if you currently have no established partnerships with other regulated MS4s. If you have more than five partnerships, hit the tab key after the last line to generate a new row.

☐ No partnerships with regulated small MS4s

Name and description of partnership	MCM/Other permit requirements involved
Sherburne County-Big Lake Township Joint Powers Agreement	MCM4; MCM5; MCM6
Sherburne County is Big Lake Township's Zoning Authority – Including The Solid Waste Mgmt Ordinance	Sherburne County Solid Waste Mgmt Ordinance No. 180

- B. If you have additional information that you would like to communicate about your partnerships with other regulated small MS4(s), provide it in the space below, or include an attachment to the SWPPP Document, with the following file naming convention: *MS4NameHere\_Partnerships*.

N/A

## II. Description of Regulatory Mechanisms: (Part II.D.2)

### Illicit discharges

- A. Do you have a regulatory mechanism(s) that effectively prohibits non-stormwater discharges into your small MS4, except those non-stormwater discharges authorized under the Permit (Part III.D.3.b.)? ☒ Yes ☐ No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

☐ Ordinance ☐ Contract language

☐ Policy/Standards ☐ Permits

☐ Rules

☒ Other, explain: Township Resolution No. 2011-07

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

*Township Resolution 2011-07 - Resolution Adopting a Regulatory Mechanism to Prohibit Illicit Discharges and/or non-Storm Water Discharges from Entering the Town of Big Lake MS4.*

Direct link:

☐ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere\_IDDEreg*.

2. If **no**:

Describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

### Construction site stormwater runoff control

- A. Do you have a regulatory mechanism(s) that establishes requirements for erosion and sediment controls and waste controls? ☒ Yes ☐ No

1. If **yes**:

- a. Check which type of regulatory mechanism(s) your organization has (check all that apply):

- ☒ Ordinance ☐ Contract language  
☐ Policy/Standards ☒ Permits  
☐ Rules  
☐ Other, explain: \_\_\_\_\_

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

*Section 17 Subdivision 6 controls during Construction and Section 15, Grading, Filling or Excavating Temporary.*

Direct link:

[http://www.co.sherburne.mn.us/scip\\_web\\_files/zoning\\_upload/zoning/ordinance/1094151798bae8822b.pdf](http://www.co.sherburne.mn.us/scip_web_files/zoning_upload/zoning/ordinance/1094151798bae8822b.pdf)

[http://www.co.sherburne.mn.us/scip\\_web\\_files/zoning\\_upload/zoning/ordinance/3218650f9a88acff1b.pdf](http://www.co.sherburne.mn.us/scip_web_files/zoning_upload/zoning/ordinance/3218650f9a88acff1b.pdf)

- ☐ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere\_CSWreg*.

- B. Is your regulatory mechanism at least as stringent as the MPCA general permit to Discharge Stormwater Associated with Construction Activity (as of the effective date of the MS4 Permit)? ☐ Yes ☒ No

If you answered **yes** to the above question, proceed to C.

If you answered **no** to either of the above permit requirements listed in A. or B., describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

*Sherburne County has advised their construction site stormwater runoff control ordinance will be updated to be at least as stringent as the MPCA Construction Storm Water permit. They have further advised this effort will be completed within 12 months of the date their permit coverage is extended. Sherburne County is the building/construction authority for Big Lake Township.*

- C. Answer **yes** or **no** to indicate whether your regulatory mechanism(s) requires owners and operators of construction activity to develop site plans that incorporate the following erosion and sediment controls and waste controls as described in the Permit (Part III.D.4.a.(1)-(8)), and as listed below:

- |  |   |
|--|---|
| 1. Best Management Practices (BMPs) to minimize erosion.   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. BMPs to minimize the discharge of sediment and other pollutants.  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. BMPs for dewatering activities.   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 4. Site inspections and records of rainfall events   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 5. BMP maintenance   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 6. Management of solid and hazardous wastes on each project site.  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 7. Final stabilization upon the completion of construction activity, including the use of perennial vegetative cover on all exposed soils or other equivalent means. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 8. Criteria for the use of temporary sediment basins.  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

*Sherburne County advised they will evaluate their construction site stormwater runoff control ordinance to ensure it will be at least as stringent as the MPCA Construction Storm Water permit. Items C3, C4, C6 and C8 (above) will be addressed and will be completed within 12 months of the date permit coverage is extended.*

### Post-construction stormwater management

- A. Do you have a regulatory mechanism(s) to address post-construction stormwater management activities?

☒ Yes ☐ No

1. If **yes**:

a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- ☒ Ordinance ☐ Contract language  
☐ Policy/Standards ☐ Permits  
☐ Rules  
☐ Other, explain: \_\_\_\_\_

b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

*Section 17 Subdivision 6 Controls during Construction and Section 15, Grading, Filling or Excavating Temporary.*

*Section 17.1 Stormwater and Erosion Control.*

Direct link:

[http://www.co.sherburne.mn.us/scip\\_web\\_files/zoning\\_upload/zoning/ordinance/1094151798bae8822b.pdf](http://www.co.sherburne.mn.us/scip_web_files/zoning_upload/zoning/ordinance/1094151798bae8822b.pdf)

[http://www.co.sherburne.mn.us/scip\\_web\\_files/zoning\\_upload/zoning/ordinance/3218650f9a88acff1b.pdf](http://www.co.sherburne.mn.us/scip_web_files/zoning_upload/zoning/ordinance/3218650f9a88acff1b.pdf)

☐ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere\_PostCSWreg.*

B. Answer **yes** or **no** below to indicate whether you have a regulatory mechanism(s) in place that meets the following requirements as described in the Permit (Part III.D.5.a.):

1. **Site plan review:** Requirements that owners and/or operators of construction activity submit site plans with post-construction stormwater management BMPs to the permittee for review and approval, prior to start of construction activity. ☐ Yes ☒ No
2. **Conditions for post construction stormwater management:** Requires the use of any combination of BMPs, with highest preference given to Green Infrastructure techniques and practices (e.g., infiltration, evapotranspiration, reuse/harvesting, conservation design, urban forestry, green roofs, etc.), necessary to meet the following conditions on the site of a construction activity to the Maximum Extent Practicable (MEP):
  - a. For new development projects – no net increase from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No
    - 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
    - 2) Stormwater discharges of Total Suspended Solids (TSS).
    - 3) Stormwater discharges of Total Phosphorus (TP).
  - b. For redevelopment projects – a net reduction from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No
    - 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
    - 2) Stormwater discharges of TSS.
    - 3) Stormwater discharges of TP.
3. **Stormwater management limitations and exceptions:**
  - a. Limitations
    - 1) Prohibit the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) when the infiltration structural stormwater BMP will receive discharges from, or be constructed in areas: ☐ Yes ☒ No
      - a) Where industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.
      - b) Where vehicle fueling and maintenance occur.
      - c) With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.
      - d) Where high levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.
    - 2) Restrict the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), without higher engineering ☐ Yes ☒ No

review, sufficient to provide a functioning treatment system and prevent adverse impacts to groundwater, when the infiltration device will be constructed in areas:

- a) With predominately Hydrologic Soil Group D (clay) soils.
- b) Within 1,000 feet up-gradient, or 100 feet down-gradient of active karst features.
- c) Within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13.
- d) Where soil infiltration rates are more than 8.3 inches per hour.

- 3) For linear projects where the lack of right-of-way precludes the installation of volume control practices that meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), the permittee's regulatory mechanism(s) may allow exceptions as described in the Permit (Part III.D.5.a(3)(b)). The permittee's regulatory mechanism(s) shall ensure that a reasonable attempt be made to obtain right-of-way during the project planning process. ☐ Yes ☒ No

4. **Mitigation provisions:** The permittee's regulatory mechanism(s) shall ensure that any stormwater discharges of TSS and/or TP not addressed on the site of the original construction activity are addressed through mitigation and, at a minimum, shall ensure the following requirements are met:

- a. Mitigation project areas are selected in the following order of preference: ☐ Yes ☒ No
  - 1) Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
  - 2) Locations within the same Minnesota Department of Natural Resource (DNR) catchment area as the original construction activity.
  - 3) Locations in the next adjacent DNR catchment area up-stream
  - 4) Locations anywhere within the permittee's jurisdiction.
- b. Mitigation projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. ☐ Yes ☒ No
- c. Routine maintenance of structural stormwater BMPs already required by this permit cannot be used to meet mitigation requirements of this part. ☐ Yes ☒ No
- d. Mitigation projects shall be completed within 24 months after the start of the original construction activity. ☐ Yes ☒ No
- e. The permittee shall determine, and document, who will be responsible for long-term maintenance on all mitigation projects of this part. ☐ Yes ☒ No
- f. If the permittee receives payment from the owner and/or operator of a construction activity for mitigation purposes in lieu of the owner or operator of that construction activity meeting the conditions for post-construction stormwater management in Part III.D.5.a(2), the permittee shall apply any such payment received to a public stormwater project, and all projects must be in compliance with Part III.D.5.a(4)(a)-(e). ☐ Yes ☒ No

5. **Long-term maintenance of structural stormwater BMPs:** The permittee's regulatory mechanism(s) shall provide for the establishment of legal mechanisms between the permittee and owners or operators responsible for the long-term maintenance of structural stormwater BMPs not owned or operated by the permittee, that have been implemented to meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)). This only includes structural stormwater BMPs constructed after the effective date of this permit and that are directly connected to the permittee's MS4, and that are in the permittee's jurisdiction. The legal mechanism shall include provisions that, at a minimum:

- a. Allow the permittee to conduct inspections of structural stormwater BMPs not owned or operated by the permittee, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the permittee determines that the owner and/or operator of that structural stormwater BMP has not conducted maintenance. ☐ Yes ☒ No
- b. Include conditions that are designed to preserve the permittee's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the permittee, when those responsibilities are legally transferred to another party. ☐ Yes ☒ No
- c. Include conditions that are designed to protect/preserve structural stormwater BMPs and site features that are implemented to comply with the Permit (Part III.D.5.a(2)). If site configurations or structural stormwater BMPs change, causing decreased structural stormwater BMP effectiveness, new or improved structural stormwater BMPs must be implemented to ensure the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) continue to be met. ☐ Yes ☒ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within twelve (12) months of the date permit coverage is extended, these permit requirements are met:

*Sherburne County will be developing a post construction ordinance. Big Lake Township is under the jurisdiction of Sherburne County. The County and Township have a Joint Powers Agreement for this partnership.*

### III. Enforcement Response Procedures (ERPs): (Part II.D.3)

A. Do you have existing ERPs that satisfy the requirements of the Permit (Part III.B.)? ☐ Yes ☒ No

1. If **yes**, attach them to this form as an electronic document, with the following file naming convention: *MS4NameHere\_ERPs*.
2. If **no**, describe the tasks and corresponding schedules that will be taken to assure that, with twelve (12) months of the date permit coverage is extended, these permit requirements are met:

*Sherburne County plans to incorporate into the stormwater ordinance, ERP's that meet the new permit conditions within 12 months of the date permit coverage is extended.*

B. Describe your ERPs:

*Section 18-Administration and Enforcement Subdivision 8 Violations, Penalties and Enforcement.*

*[http://www.co.sherburne.mn.us/scip\\_web\\_files/zoning\\_upload/zoning/ordinance/917950aa9266c551f.pdf](http://www.co.sherburne.mn.us/scip_web_files/zoning_upload/zoning/ordinance/917950aa9266c551f.pdf)*

### IV. Storm Sewer System Map and Inventory: (Part II.D.4.)

A. Describe how you manage your storm sewer system map and inventory:

*The Township has a map of all outlets within the Township, which are all pipes 12 inches or greater. The storm structures catch basins and outfalls are labeled on the map.*

B. Answer **yes** or **no** to indicate whether your storm sewer system map addresses the following requirements from the Permit (Part III.C.1.a-d), as listed below:

1. The permittee's entire small MS4 as a goal, but at a minimum, all pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes. ☒ Yes ☐ No
2. Outfalls, including a unique identification (ID) number assigned by the permittee, and an associated geographic coordinate. ☒ Yes ☐ No
3. Structural stormwater BMPs that are part of the permittee's small MS4. ☒ Yes ☐ No
4. All receiving waters. ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

C. Answer **yes** or **no** to indicate whether you have completed the requirements of 2009 Minnesota Session Law, Ch. 172. Sec. 28: with the following inventories, according to the specifications of the Permit (Part III.C.2.a.-b.), including:

1. All ponds within the permittee's jurisdiction that are constructed and operated for purposes of water quality treatment, stormwater detention, and flood control, and that are used for the collection of stormwater via constructed conveyances. ☒ Yes ☐ No
2. All wetlands and lakes, within the permittee's jurisdiction, that collect stormwater via constructed conveyances. ☒ Yes ☐ No

D. Answer **yes** or **no** to indicate whether you have completed the following information for each feature inventoried.

1. A unique identification (ID) number assigned by the permittee. ☒ Yes ☐ No
2. A geographic coordinate. ☒ Yes ☐ No
3. Type of feature (e.g., pond, wetland, or lake). This may be determined by using best professional judgment. ☒ Yes ☐ No

If you have answered **yes** to all above requirements, and you have already submitted the Pond Inventory Form to the MPCA, then you do not need to resubmit the inventory form below.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

*N/A*

- E. Answer **yes** or **no** to indicate if you are attaching your pond, wetland and lake inventory to the MPCA ☐ Yes ☒ No on the form provided on the MPCA website at: <http://www.pca.state.mn.us/ms4> , according to the specifications of Permit (Part III.C.2.b.(1)-(3)). Attach with the following file naming convention: *MS4NameHere\_inventory*.

If you answered **no**, the inventory form must be submitted to the MPCA MS4 Permit Program within 12 months of the date permit coverage is extended.

## V. Minimum Control Measures (MCMs) (Part II.D.5)

### A. MCM1: Public education and outreach

1. The Permit requires that, within 12 months of the date permit coverage is extended, existing permittees revise their education and outreach program that focuses on illicit discharge recognition and reporting, as well as other specifically selected stormwater-related issue(s) of high priority to the permittee during this permit term. Describe your **current** educational program, including **any high-priority topics included**:

*The Township publishes two (2) newsletters published twice (2) a year and mailed directly to all Township residents. An annual Township meeting is held; at that time there is an opportunity for public question and review of the Big Lake Township SWPPP plan. There is information and links on the Township website for public education. There is a brochure permanently available to the Township residents at the Town Hall, "Citizens guide to Town of Big Lake's Stormwater Pollution Prevention Plan".*

2. List the categories of BMPs that address your public education and outreach program, including the distribution of educational materials and a program implementation plan. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the U.S. Environmental Protection Agency's (EPA) *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Newsletter	Published twice (2) a year and mailed directly to all Township residents.
Annual Meeting	Opportunity for residents to review the SWPPP plan, ask questions, present concerns, view the map of the outlets.
Brochure	Copies permanently available to residents to take "Citizens Guide to Town of Big Lake's Stormwater Pollution Prevention Plan".
Website	Links for public education items available to the residents.
BMP categories to be implemented	Measurable goals and timeframes

3. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

*Laura Hayes, Clerk - Town of Big Lake*

### B. MCM2: Public participation and involvement

1. The Permit (Part III.D.2.a.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement a public participation/involvement program to solicit public input on the SWPPP. Describe your current program:

*The second Tuesday each March the Annual Town Meeting is held. At this time citizen comment, review of plan and map and report of concerns part of the meeting agenda. A notice of the meeting is published two weeks (14 days) prior to the*



meeting. Throughout the year, the Sherburne County Planning and Zoning Office/Solid Waste division provides many opportunities for the residents of Big Lake Township & all of Sherburne County to properly dispose of hazardous waste, waste oil, and vegetative debris. Big Lake Township offers an annual amnesty day the first Saturday of May where appliances, scrap metal, solid waste, tires, electronics, oil filters and automotive batteries are collected and disposed of.

2. List the categories of BMPs that address your public participation/involvement program, including solicitation and documentation of public input on the SWPPP. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Annual public meeting	Held the second Tuesday of March each year.
Annual Amnesty (Clean Up) Day	Held the first Saturday of May each year.
BMP categories to be implemented	Measurable goals and timeframes

3. Do you have a process for receiving and documenting citizen input? ☒ Yes ☐ No

If you answered **no** to the above permit requirement, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

N/A

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Laura Hayes, Clerk - Town of Big Lake

### C. MCM 3: Illicit discharge detection and elimination

1. The Permit (Part III.D.3.) requires that, within 12 months of the date permit coverage is extended, existing permittees revise their current program as necessary, and continue to implement and enforce a program to detect and eliminate illicit discharges into the small MS4. Describe your current program:

*Big Lake Township has an illicit discharge ordinance that prohibits illicit discharges and connections. As part of our annual stormwater BMP inspections, we also look for evidence of illicit discharges.*

2. Does your Illicit Discharge Detection and Elimination Program meet the following requirements, as found in the Permit (Part III.D.3.c.-g.)?

- a. Incorporation of illicit discharge detection into all inspection and maintenance activities conducted under the Permit (Part III.D.6.e.-f.) Where feasible, illicit discharge inspections shall be conducted during dry-weather conditions (e.g., periods of 72 or more hours of no precipitation). ☒ Yes ☐ No
- b. Detecting and tracking the source of illicit discharges using visual inspections. The permittee may also include use of mobile cameras, collecting and analyzing water samples, and/or other detailed procedures that may be effective investigative tools. ☒ Yes ☐ No
- c. Training of all field staff, in accordance with the requirements of the Permit (Part III.D.6.g.(2)), in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation. ☒ Yes ☐ No
- d. Identification of priority areas likely to have illicit discharges, including at a minimum, evaluating land use associated with business/industrial activities, areas where illicit discharges have been identified in the past, and areas with storage of large quantities of significant materials that could result in an illicit discharge. ☒ Yes ☐ No
- e. Procedures for the timely response to known, suspected, and reported illicit discharges. ☒ Yes ☐ No

- f. Procedures for investigating, locating, and eliminating the source of illicit discharges. ☒ Yes ☐ No
- g. Procedures for responding to spills, including emergency response procedures to prevent spills from entering the small MS4. The procedures shall also include the immediate notification of the Minnesota Department of Public Safety Duty Officer, if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. § 115.061. ☒ Yes ☐ No
- h. When the source of the illicit discharge is found, the permittee shall use the ERPs required by the Permit (Part III.B.) to eliminate the illicit discharge and require any needed corrective action(s). ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

3. List the categories of BMPs that address your illicit discharge, detection and elimination program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
ID of illicit discharges	Inspections done during annual road tour by Township Supervisors.
Illicit discharge inspections	Conducted by Township Supervisors
Annual Amnesty (Clean Up ) Day	Collection of solid waste, oil filters and auto batteries
BMP categories to be implemented	Measurable goals and timeframes

4. Do you have procedures for record-keeping within your Illicit Discharge Detection and Elimination (IDDE) program as specified within the Permit (Part III.D.3.h.)? ☒ Yes ☐ No
- If you answered **no**, indicate how you will develop procedures for record-keeping of your Illicit Discharge, Detection and Elimination Program, within 12 months of the date permit coverage is extended:

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Laura Hayes, Clerk - Town of Big Lake

#### D. MCM 4: Construction site stormwater runoff control

1. The Permit (Part III.D.4) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a construction site stormwater runoff control program. Describe your current program:

*Sherburne County's construction site stormwater runoff control program includes an ordinance for erosion and sediment control. The County requires a stormwater and erosion control permit for all projects regulated by the NPDES. The Township is under the County's jurisdiction for erosion and sediment control at a construction site.*

2. Does your program address the following BMPs for construction stormwater erosion and sediment control as required in the Permit (Part III.D.4.b.):

- a. Have you established written procedures for site plan reviews that you conduct prior to the start of construction activity? ☒ Yes ☐ No
- b. Does the site plan review procedure include notification to owners and operators proposing construction activity that they need to apply for and obtain coverage under the MPCA's general ☒ Yes ☐ No

permit to *Discharge Stormwater Associated with Construction Activity No. MN R100001?*

- c. Does your program include written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the permittee? ☒ Yes ☐ No
- d. Have you included written procedures for the following aspects of site inspections to determine compliance with your regulatory mechanism(s):
- 1) Does your program include procedures for identifying priority sites for inspection? ☐ Yes ☒ No
  - 2) Does your program identify a frequency at which you will conduct construction site inspections? ☐ Yes ☒ No
  - 3) Does your program identify the names of individual(s) or position titles of those responsible for conducting construction site inspections? ☒ Yes ☐ No
  - 4) Does your program include a checklist or other written means to document construction site inspections when determining compliance? ☒ Yes ☐ No
- e. Does your program document and retain construction project name, location, total acreage to be disturbed, and owner/operator information? ☒ Yes ☐ No
- f. Does your program document stormwater-related comments and/or supporting information used to determine project approval or denial? ☐ Yes ☒ No
- g. Does your program retain construction site inspection checklists or other written materials used to document site inspections? ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

*According to Sherburne County items 2.d.1) & 2.d.2) & 2.f; will be updated to meet the requirements of the Permit within 12 months of the date permit coverage is extended.*

3. List the categories of BMPs that address your construction site stormwater runoff control program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Procedures for Site Plan Inspection	Review site plans for projects that disturb land over one acre in size.
County Zoning Ordinance	Complete Ordinance adopted 2007-Big Lake Township is under County Ordinance Jurisdiction.
BMP categories to be implemented	Measurable goals and timeframes

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Laura Hayes, Clerk - Town of Big Lake

## E. MCM 5: Post-construction stormwater management

1. The Permit (Part III.D.5.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a post-construction stormwater management program. Describe your current program:

*Sherburne County Ordinance requires the review and approval of construction site erosion and sediment control. The*

County works with contractors and the local township engineer to be sure the proper erosion & sediment control BMP's are in place. While the construction sites are active, they are inspected and monitored by the County Zoning Department to ensure all BMP's outlined in the plan are established. Once the construction site is established, the Town of Big Lake becomes the drainage authority.

2. Have you established written procedures for site plan reviews that you will conduct prior to the start of construction activity? ☐ Yes ☒ No
3. Answer **yes** or **no** to indicate whether you have the following listed procedures for documentation of post-construction stormwater management according to the specifications of Permit (Part III.D.5.c.):
  - a. Any supporting documentation that you use to determine compliance with the Permit (Part III.D.5.a), including the project name, location, owner and operator of the construction activity, any checklists used for conducting site plan reviews, and any calculations used to determine compliance? ☐ Yes ☒ No
  - b. All supporting documentation associated with mitigation projects that you authorize? ☐ Yes ☒ No
  - c. Payments received and used in accordance with Permit (Part III.D.5.a.(4)(f))? ☐ Yes ☒ No
  - d. All legal mechanisms drafted in accordance with the Permit (Part III.D.5.a.(5)), including date(s) of the agreement(s) and names of all responsible parties involved? ☐ Yes ☒ No

If you answered **no** to any of the above permit requirements, describe the steps that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

*Sherburne County has advised they will be developing written procedures for site plan reviews. Big Lake Township is subject to following these procedures under the jurisdiction of Sherburne County Planning and Zoning and under the Joint Powers Agreement between Sherburne County and Big Lake Township.*

4. List the categories of BMPs that address your post-construction stormwater management program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Sherburne County Zoning Ordinance	Completed Ordinance revision in 2007 including illicit discharges, erosion and sediment control at construction sites for new development and redevelopment.
BMP categories to be implemented	Measurable goals and timeframes

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

*Laura Hayes, Clerk - Town of Big Lake*

## F. MCM 6: Pollution prevention/good housekeeping for municipal operations

1. The Permit (Part III.D.6.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement an operations and maintenance program that prevents or reduces the discharge of pollutants from the permittee owned/operated facilities and operations to the small MS4. Describe your current program:

*Usage of salt & salt/sand mix are used in amounts only as needed to meet the level of service required for the Township road system*

*Training is available for Township contractors and Board members involved in street sweeping, salt application and inspection maintenance.*

*Road salt is not stored by the Township. It is left at the vendor and picked up as needed for application.*

2. Do you have a facilities inventory as outlined in the Permit (Part III.D.6.a.)? ☒ Yes ☐ No
3. If you answered **no** to the above permit requirement in question 2, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:  
N/A

4. List the categories of BMPs that address your pollution prevention/good housekeeping for municipal operations program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. For an explanation of measurable goals, refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Waste Disposal	Ongoing collection and disposal of all waste as necessary.
Road and parking lot sweeping	Sweeping in spring and after road projects if necessary.
Snow and ice control	Snowplowing companies are trained to use the prescribed amount of salt to achieve the level of service required for safe traveling surface.
MS4 Inspections and Maintenance	Ongoing regular inspections and maintenance when warranted.
BMP categories to be implemented	Measurable goals and timeframes

5. Does discharge from your MS4 affect a Source Water Protection Area (Permit Part III.D.6.c.)? ☐ Yes ☒ No
  - a. If **no**, continue to 6.
  - b. If **yes**, the Minnesota Department of Health (MDH) is in the process of mapping the following items. Maps are available at <http://www.health.state.mn.us/divs/eh/water/swp/maps/index.htm>. Is a map including the following items available for your MS4:
    - 1) Wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330? ☐ Yes ☐ No
    - 2) Source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act, U.S.C. §§ 300j – 13? ☐ Yes ☐ No
  - c. Have you developed and implemented BMPs to protect any of the above drinking water sources? ☐ Yes ☐ No
6. Have you developed procedures and a schedule for the purpose of determining the TSS and TP treatment effectiveness of all permittee owned/operated ponds constructed and used for the ☐ Yes ☒ No

collection and treatment of stormwater, according to the Permit (Part III.D.6.d.)?

7. Do you have inspection procedures that meet the requirements of the Permit (Part III.D.6.e.(1)-(3)) for structural stormwater BMPs, ponds and outfalls, and stockpile, storage and material handling areas? ☒ Yes ☐ No

8. Have you developed and implemented a stormwater management training program commensurate with each employee's job duties that:

- a. Addresses the importance of protecting water quality? ☒ Yes ☐ No
- b. Covers the requirements of the permit relevant to the duties of the employee? ☒ Yes ☐ No
- c. Includes a schedule that establishes initial training for new and/or seasonal employees and recurring training intervals for existing employees to address changes in procedures, practices, techniques, or requirements? ☒ Yes ☐ No

9. Do you keep documentation of inspections, maintenance, and training as required by the Permit (Part III.D.6.h.(1)-(5))? ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements listed in **Questions 5 – 9**, then describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

*No source water protection areas for surface intakes have been identified.*

*Compliance with #6 is under the jurisdiction of Sherburne County as part of our Joint Powers Agreement.*

10. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

*Laura Hayes, Clerk - Town of Big Lake*

## VI. Compliance Schedule for an Approved Total Maximum Daily Load (TMDL) with an Applicable Waste Load Allocation (WLA) (Part II.D.6.)

- A. Do you have an approved TMDL with a Waste Load Allocation (WLA) prior to the effective date of the Permit? ☒ Yes ☐ No

1. If **no**, continue to section VII.

2. If **yes**, fill out and attach the MS4 Permit TMDL Attachment Spreadsheet with the following naming convention: *MS4NameHere\_TMDL*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

## VII. Alum or Ferric Chloride Phosphorus Treatment Systems (Part II.D.7.)

- A. Do you own and/or operate any Alum or Ferric Chloride Phosphorus Treatment Systems which are regulated by this Permit (Part III.F.)? ☐ Yes ☒ No

1. If **no**, this section requires no further information.

2. If **yes**, you own and/or operate an Alum or Ferric Chloride Phosphorus Treatment System within your small MS4, then you must submit the Alum or Ferric Chloride Phosphorus Treatment Systems Form supplement to this document, with the following naming convention: *MS4NameHere\_TreatmentSystem*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

## VIII. Add any Additional Comments to Describe Your Program

*N/A*

**Town of Big Lake  
Resolution No. 2011-07**

**Resolution Adopting a Regulatory Mechanism to Prohibit Illicit Discharges and/or Non-Storm Water Discharges from Entering the Town of Big Lake MS4.**

**WHEREAS,** the Town of Big Lake drafted and submitted a Storm Water Pollution Prevention Plan to the MPCA on November 14, 2007; and,

**WHEREAS,** the Town of Big Lake Storm Water Pollution Prevention Plan was accepted by the Minnesota Pollution Control Agency; and,

**WHEREAS,** the Minnesota Pollution Control Agency requires an ordinance or regulatory mechanism prohibiting illicit discharges and/or non-storm water discharges be adopted and added to Big Lake Township's MS4 Storm Water Pollution Prevention Plan; and,

**WHEREAS,** the Town of Big Lake and Sherburne County entered into a Joint Powers Agreement Regarding Zoning effective September 6, 2005; and,

**WHEREAS,** the Sherburne County Board of Commissioners adopted the Sherburne County Solid Waste Management Ordinance on November 16, 2010; and, Amendments to said Ordinance on April 12, 2011 that address this requirement.

**NOW, THEREFORE, BE IT RESOLVED,** that the Town of Big Lake hereby ordains the adoption of the following regulations to prohibit illicit discharges and/or non-storm water discharges from entering the Town of Big Lake MS4.

## **SECTION 20.0 ABATEMENT, DISPOSAL, AND STORAGE OF WASTE ON REAL PROPERTY**

### **20.1A DEFINITIONS**

Words used in the present tense include the past and future tense; the singular number includes the plural and plural includes the singular; the words “shall” and “must” are mandatory and the words “may” and “should” permissive.

When used in these regulations the following terms shall have the meaning given to them.

**“DEPARTMENT”** means the Zoning Administration Department of Sherburne County, its staff, and designated agents.

**“ORDINANCE”** means the Sherburne County Solid Waste Management Ordinance.

### **20.1 SOLID WASTE STORAGE**

A. **SOLID WASTE ACCUMULATION.** Owners and managers of every real property shall be responsible for maintaining all open areas free of improperly stored solid waste accumulation.

B. **LIMITED EXCLUSIONS.** Nothing in this section shall unreasonably restrict commonly accepted activities of farms and duly permitted automobile, scrap iron, metal recyclers, or salvage operations that maintain such operations in compliance with applicable ordinances and regulations and in an orderly and nuisance free manner.

C. **STORAGE FACILITIES AND CONTAINERS REQUIRED.** Every real property shall be supplied with adequate solid waste storage facilities or containers.

D. **WASTE MATERIALS TOO LARGE FOR CONTAINERS.** Waste objects too large or otherwise unsuitable for storage containers shall be stored in a pollution and nuisance free manner and in compliance with the regulations of Federal, State and Local Governments, and their regulatory agencies.

E. **PROVIDED FACILITIES REQUIRED TO BE USED.** Property owners shall cause occupants and employees to store solid waste for removal in the solid waste storage facilities or containers provided. The property owner shall not permit solid waste to be placed in locations or in a manner that the solid waste may be scattered by wind, water, animals, or insects.

F. **FREQUENCY OF CONTAINER SERVICE.** Every property owner shall cause container contents to be removed and deposited at a permitted disposal facility at a frequency so as to not create a nuisance. Solid waste shall not be stored on real property for more than two (2) weeks without the written approval of the Department. Solid wastes suitable and stored for recycling may be contained if stored in an acceptable manner that avoids risk to public safety and otherwise complies with the Ordinance.

G. **STORAGE CONSTRUCTION.** All solid waste storage containers shall be constructed of rust and impact resistant materials with covers that deter rodent and insect entry. The containers shall be equipped with tight-fitting covers that shield the container from the entrance of precipitation, rodents, insects, and vermin.



As described in Volume 42, No. 113, pages 30296 to 30302 of the Federal Register, refuse bins having an internal volume of one (1) cubic yard or greater shall be constructed or retrofitted to meet American National Standards Institute (ANSI) Standard (Z 245.3-1077) for the stability of refuse bins.

Single use containers not meeting the above requirements may be used for yard waste provided the container is:

- a. Constructed of moisture resistant materials.
- b. Adequately designed to contain the waste.
- c. Closed to resist the entrance of water.
- d. Loaded no more than fifty five (55) pounds.
- e. Strong enough to allow collection and loading by hand.

H. CONTAINER MAINTENANCE. Solid waste containers shall be maintained in a nuisance free condition by the owner. When supplied by a property owner or commercial hauler, the containers shall be maintained in good repair.

#### I. CONTAINER COMPLIANCE:

1. Any commercial hauler finding solid waste containers in use that appear not to be in compliance with the Ordinance shall report the container's location to the Department.
2. The Department shall investigate complaints about solid waste containers and if the container is found not in compliance a notice shall be attached to the container as provided in this section. If the Department does not investigate the complaint, the Department shall mail to the containers owner a notice that a complaint was received regarding the container. The notice shall describe this Ordinance's requirements for a solid waste container. The owner shall report their actions to the Department within ten (10) days of the notice date regarding the corrections they have made. If the owner does not make this report to the Department within ten (10) days, the Department shall proceed with an investigation. If the container is found to be in violation of this Ordinance, a notice shall be attached to the container stating substantially as follows:

NOTICE: This solid waste container does not comply with the Sherburne County Solid Waste Management Ordinance and this container shall be removed by the owner within ten (10) calendar days. The licensed solid waste hauler who services this property is hereby ordered by the Sherburne County Solid Waste Department not to empty this container.

SIGNED BY: \_\_\_\_\_ on behalf of the Sherburne County Zoning and Solid Waste Department.

DATE OF NOTICE: \_\_\_\_\_

WARNING: This notice shall not be removed except by action of the Zoning and Solid Waste Department.

3. The notice attached to the container shall not be removed except by action of the Department.
4. Any public costs associated with investigation and removal of the container may be charged as a fee to the owner of the container or as an assessment against the real property as provided by law.

J. TRANSFER OF SOLID WASTE. Solid waste shall not be transferred to another property or solid waste container except with the written consent of the owner.

K. SOLID WASTE BURNING PROHIBITED. The burning of solid waste shall be prohibited except as allowed at a permitted solid waste facility.

L. HAZARDOUS WASTE STORAGE. Hazardous wastes shall be stored in leakproof containers which are adequately labeled, in a safe location and in compliance with the regulations of Federal, State (Minn. Rules Ch. 7045) and Local Governments, and their regulatory agencies.

## **20.2 ANTI-SCAVENGING**

A. The scavenging or removal of recoverable or recyclable materials from any facility or container in the County without the written consent of the owner or operator shall be prohibited.

B. Ownership of the separated recyclable materials set out by a customer for collection by the recyclable collector shall be vested in the collector servicing the person who is recycling. It shall be unlawful and an offense against this Ordinance for any person other than the owner, lessee, or occupant of a residence or commercial building, to pick up said separated recyclable materials for any purpose.

C. Persons or organizations other than a licensed recyclable collector may not collect recyclables unless they obtain written permission from the Department. Permission will be granted to any organization to collect recyclables at curbside for single and multi-family residential customers if written permission is granted by the recyclable collector servicing the accounts requiring collection.

## **20.3 BURNING**

A. BURNING OF SOLID WASTE PROHIBITED. The burning of solid waste shall be prohibited except as allowed at a permitted solid waste facility. Only the burning of natural vegetative materials shall be allowed. The "Minnesota Department of Natural Resources Burning Guidelines" dated 1994 are hereby adopted as reference in these regulations.

Permitted burning materials shall include vegetative materials such as trees, brush, leaves, dry grass clippings and untreated/unpainted wood that contains no glues or resins.

Non-permitted burning materials shall include but not limited to the burning of oils, rubber, plastics, chemically treated materials such as treated lumber, tires, railroad ties, shingles, wiring, paint, paint filters, particle board, tar paper, sheetrock, cardboard, paper products, electronics, hazardous wastes, household garbage.

B. BURNING PERMIT. A DNR burning permit shall be required when a burn area is to exceed a 3 foot diameter area and for any open burning when the ground is not snow covered. Open burning shall be defined as burning in an area larger than a 3 foot diameter area. A DNR burning permit shall be required to be in possession while open burning.

C. FIRE. Fire shall be attended and kept in control at all times.

## **20.4 DEMOLITION WASTE**

A. All demolition waste shall first be referred to landfills approved and permitted by the MPCA for the disposal of demolition waste.

B. All demolition waste shall be disposed of in an approved and permitted MPCA demolition landfill except as provided below:

1. Concrete, brick and building rock may be exempt from disposal at an approved and permitted MPCA demolition landfill and allowed to be disposed of through a thirty day one-time permit from the MPCA with an option for extension. The MPCA shall not issue any permits for the disposal of demolition waste in the County without the prior approval of the County.

2. Prior to receiving a one-time demolition debris disposal permit from the MPCA, the County and the MPCA require that an approved exemption notification permit is issued by the Department. To receive an exemption notification permit, it is necessary to meet the following criteria:

a. The materials qualifying for exemption shall be restricted to concrete, brick and building rock.

b. The disposal site shall be a land improvement project such as a driveway, parking lot or other similar type project approved by the Department. A land improvement project does not include using exempted materials to fill in wetlands, low areas or shorelands subject to flooding or natural accumulation or runoff.

c. The permittee shall provide information on a form provided by the Department. The information shall include: designation of all parties; location of debris generation; location of debris disposal; a site map; type and amount of debris to be received; site acreage; fill depth; type of land improvement project; a schedule which includes the beginning date of the project; number of work days and completion date; and, days that contact will be made with the Department as each phase of the project begins. Permits for the disposal of exempt demolition debris used in a land improvement project will be valid for a period of thirty (30) days. Extensions to this time frame will be considered on a case by case basis.

d. The permittee shall pay a permit fee to the County for administrative costs. The amount of the fee shall be set according to the provisions in Section 6.0 of this Ordinance. Included in this fee is a filing fee for recording the site location, content and size with the County Recorder. If the recording fee increases the permit fee will reflect the increase.

e. The permittee shall certify on a form provided by the Department that the project meets all the necessary criteria.

3. The Department will authorize the stockpiling of concrete or other exempt demolition waste for the purpose of reuse or recycling on a case-by-case basis.

a. Authorization to stockpile exempt waste for the purpose of reuse or recycling will be for a period of one (1) year. Extensions may be considered, provided that compliance with local and state regulations has been demonstrated.

b. There shall be a fee assessed for administrative costs pursuant to Section 6.0 of this Ordinance for all authorized stockpiles of exempt demolition debris.

c. The Department shall require a performance bond conditioned upon full compliance with this policy and compliance with local and state regulations. The amount of the bond will be determined on a case-by-case basis. The amount shall be based upon maximum volume of exempt debris to be stockpiled, the cost of disposing of the stockpiled debris in a permitted

demolition landfill, restoration and any other factors that the County may determine to have an impact on the reasonableness of the bond.

d. Bituminous may be stockpiled if a conditional use permit for gravel operations has been obtained or by permit hereunder.

C. An exemption notification permit request shall be submitted to the Department. A permit may be issued by the Department based upon certification that the entire project meets all of the necessary criteria. A permit may be denied by the Department based upon past practices of the applicant, incomplete information or failure to meet the necessary criteria. The applicant has the right to file a further application after revisions are made to satisfy objections specified as reasons for denial. Non-compliance with the MPCA permit or the Sherburne County Permit on the part of the permittee shall result in immediate revocation. The permits are nontransferable.

D. It shall be the policy of the County to encourage townships and cities within the County to require demolition permits for the purpose of demolishing structures. The Department shall request notification from each local authority which issues demolition permits each time a demolition permit is issued. The information requested upon notification by the local authority shall include at least the following:

1. Demolition project manager
2. Location of the demolition project
3. Scheduled demolition date
4. The location of the demolition disposal site

The Department shall notify Benton and Stearns Counties to provide each County with the information that has been obtained from the local authority and shall encourage Benton and Stearns to do the same.

## **20.5 CONSTRUCTION DEBRIS**

A. LANDFILL DISPOSAL REQUIRED. All construction debris shall be disposed of in an approved and permitted MPCA landfill.

B. CONSTRUCTION SITES. Construction debris shall be contained to ensure against littering.

## **20.6 MAJOR APPLIANCES**

A. A person may not place major appliances in mixed municipal solid waste; or dispose of major appliances in or on the land or in a solid waste processing or disposal facility.

B. The disposal of major appliances in the land is prohibited, but the storage at a collection or processing facility is permitted.

C. Major appliances shall be stored in a manner which will not create a nuisance, blight, or hazard to public health and safety and shall have all non-magnetic latches disabled, capacitors removed and refrigerant gas evacuated before storage and or processing.

D. No more than ten (10) major appliances may be stored outside on any nonresidential parcel except at a permitted collection or processing facility.

E. No more than two (2) major appliances may be stored outside within the boundaries of any residential lot.

## **20.7 JUNKED VEHICLES AND MACHINERY**

A. MOTOR VEHICLES AND MACHINERY AS SOLID WASTE. Motor vehicles or parts of motor vehicles and machinery or parts of machinery shall be solid waste when they are either not operable or not equipped with a current license tag and are one or more of the following:

1. Container for other solid waste, or
2. Abandoned or disposed, or
3. Stored or outside of a building except as permitted by this section.

B. LIMITED EXEMPTIONS. The following are conditions that considered exempt from this section:

1. Owners of land used primarily for farm/agricultural use are allowed to store farm type machinery outside. Machinery shall be stored in a manner which will not create a hazard to the public health and safety.
2. All land owners shall be allowed to store no more than two unlicensed and or inoperable vehicles outside. Vehicles shall be stored in a manner which will not create nuisance or a hazard to the public health and safety.

C. Individual households who meet or exceed the provisions listed in this section shall be in violation of this Ordinance.

## **20.8 WASTE TIRES**

A. LAND DISPOSAL PROHIBITED. The disposal of waste tires in or on the land is prohibited. This does not prohibit the storage of unprocessed waste tires at a collection or a processing facility.

B. WASTE TIRE STORAGE REQUIREMENTS:

1. No more than five (5) waste tires may be stored outside within the boundaries of any residential lot. The allotted five (5) waste tires shall be stored consistent with the requirements of Section 20.8(B)(4) through (B)(17).
2. No more than twenty-five (25) waste tires may be stored on any non-residential lot except at a properly licensed solid waste facility. The allotted twenty-five (25) waste tires shall be stored consistent with the requirements of Section 20.8(B)(4) through (B)(17).
3. Exceptions to Section 20.8(B)(1), (2) and (16) may be allowed when waste tires are utilized outside of a building for decorative, recreational, structural, construction or agricultural purposes where they comply with the requirements of other applicable laws or sections of this Ordinance.
4. Waste tires shall not be stored outside within 1,000 feet of intermittent or permanent wetlands, streams, ponds, and lakes, including shoreland and floodplain areas.

5. Waste tires shall not be stored outside within 1,000 feet of wooded areas and other areas on which trees, tree stumps, and brush are located, which could harbor mosquito populations.
6. Waste tires within one thousand (1000) feet of a residence shall be stored or utilized in a manner that prevents water from being retained in the tires.
7. Waste tires shall not be stored within one-half mile of a known or suspected endemic area of mosquito-borne viral encephalitis or other diseases.
8. Waste tires shall not be placed, stored, left, or permitted to remain in a lake, stream, wetland, sink hole, gully, waterway, floodplain or shoreland.
9. Waste tires shall not be stored within an area which is unsuitable with respect to topography, geology, hydrology, soils, land use, or other public health and safety concerns.
10. Waste tires shall be confined to as small an area as practicable, with individual piles not more than 2,500 feet in area and twenty (20) feet in height.
11. A minimum twelve (12) foot separation distances shall be provided between piles of waste tires to allow for truck and emergency vehicle access.
12. Waste tires shall not constitute a fire hazard.
13. Waste tires shall be piled so as to minimize the accumulation of stagnant water.
14. Waste tires shall be stored a minimum of fifty (50) feet from the adjacent property line.
15. Surface water drainage shall be diverted around and away from waste tire storage areas.
16. Adequate visual screening of waste tire storage areas from housing or public right-of-ways shall be provided by use of natural objects, such as trees, berms, fences, or other means deemed acceptable by the Department.
17. The owner of the land or premises upon which waste tires are located in violation of this Ordinance shall be obligated to remove them to a licensed solid waste facility, or obtain the license required by this Ordinance within one year of the effective date of this Ordinance, or such later date approved by the Department.

## **20.9 DUMPING**

A. **UNAUTHORIZED DUMPING.** It shall be a violation of this Ordinance for any person to dispose of solid waste within the County at any place except at a site or facility authorized by this Ordinance.

B. **UNLICENSED OPEN DUMPS.** It shall be a violation of this Ordinance for any person to operate an open dump.

1. Waste placed in open dumps or illegally disposed of shall be collected and transported to a licensed solid waste facility for proper disposal by the property owner or other person(s) determined by the Department to be responsible for the illegal activity. The responsible party

shall notify the Department at least 48 hours prior to commencement of excavation/removal activity at the subject site. A receipt or other documentation approved by the Department which indicates satisfactory and legal disposal of the subject solid waste shall be submitted to the Department no later than 14 days after disposal.

2. Upon approval by the Department, open dumps which ceased to accept waste prior to 60 days after effective date of this Ordinance, may submit a closure plan to the Department. Closure plans shall meet all requirements of Minn. R. Ch. 7001 and 7035 and any other requirements deemed necessary by the Department.

3. The owner of the property on which the open dump is located shall record an instrument with the County Recorder on a form prescribed by the Department placing the public on notice of the existence and location of the open dump and of the obligations placed upon parties holding an interest in the property and the restrictions which may affect the use of the property.

4. The County Board may waive any of the closure requirements of this Section 20.9, provided such waiver will not violate MPCA rules or endanger the health or safety of the public.

## **20.10 MANURE**

A. A property owner not otherwise regulated by Minn. R. 7020 governing feedlots shall cause animal manure to be removed or incorporated into the soil in a manner consistent with measures to protect the environment and, recommendations of the Natural Resources Conservation Service (NRCS) Field Office Technical Guide, and County and State laws. Human manure shall not be spread on the ground surface nor utilized as a fertilizer as allowed for animal manure until such manure has been processed as allowed by the State and County.

1. The owner shall be required to submit to the Department and the Soil and Water Conservation District a Manure Management Plan consistent with those standards set forth within the NRCS Standard 633 for Waste Utilization. Said Plan shall also be submitted to the township for comment. Additional measures may be required by the township or the County as needed to ensure the safety of public health and the protection of the environment.

2. When animal manure is properly stored in agricultural areas and managed for utilization as a fertilizer or for energy recovery in ways that will protect the Waters of the State from pollution, as required by such standards set forth by NRCS Waste Utilization Standard 633 and the County, the manure will not be classified as a solid waste.

Animal manure shall be classified as a solid waste when they are accumulated, stored, or stockpiled on the ground surface in any area that pollutes the waters of the State, or within two hundred (200) feet of a residence located on neighboring property and shall be subject to enforcement under the provisions of this Ordinance

## **20.11 ANIMAL CARCASSES**

A. For the purpose of this Ordinance any animal not listed on the following animal unit equivalent chart of this Ordinance shall be defined as the average weight of the animal divided by 1,000 pounds.

## ANIMAL UNIT EQUIVALENT

Animal(s)	Equivalent
Calves (150 – 500 lbs)	0.5 animal units
Feeder Cattle (500 – 1200 lbs)	1.0 animal units
Beef Cows	1.0 animal units
Young Dairy Stock (500 – 1000 lbs)	0.75 animal units
Replacement Heifers	1.0 animal units
Dairy Cows	1.4 animal units
Nursery Pigs (up to 50 lbs)	0.05 animal units
Grower/Feeder Pigs (50 – 100 lbs)	0.4 animal units
Finishing Hogs (100 lbs – market weight)	0.4 animal units
Sows	0.4 animal units
Boars	0.4 animal units
Sheep	0.1 animal units
Turkeys	0.018 animal units
Layer Chickens	0.01 animal units
Broiler Chickens	0.01 animal units
Horses	1.0 animal units
Ostriches	0.4 animal units

B. All carcasses and discarded animal parts shall be properly disposed of by being taken to a rendering plant or a properly permitted and licensed MSW landfill unless exempted herein. Carcasses and discarded animal parts shall not be buried on-site except for domesticated animals or those property owners that qualifies under Section 20.11(C) and (D) of this Ordinance. Domesticated animals may be buried on-site in a shallow grave if the animal did not die of a disease.

C. On-site disposal will be allowed on properties with a minimum of 40 acres contingent upon the following setbacks and criteria:

### Setbacks

Neighboring Property Line	200 feet
Subdivision	500 feet
County or Township Road	200 feet
Highways 25, or 10	200 feet
Shoreline	500 feet
Seasonal High Water Table	10 feet
Floodplain	500 feet
Public Lands	300 feet
Wells	500 feet

D. Disposal sites shall have a minimum of 3 feet of consistent cover material. Animals shall be buried no later than 48 – 72 hours from time of death, unless frost inhibits burial.

E. On-site disposal shall be limited to one (1) animal unit per 40 acres, per year.



Adopted by the Town of Big Lake this 25<sup>th</sup> day of May, 2011.

\_\_\_\_\_  
**Robert L. Hofer, Chairman**

Attest:

\_\_\_\_\_  
**Laura Hayes, Town Clerk**

The motion for adoption of the foregoing resolution was duly moved by Supervisor\_\_\_\_\_, seconded by Supervisor\_\_\_\_\_. After discussion thereof and upon a vote taken thereon, the following number of supervisors voted in favor \_\_\_\_; against \_\_\_\_; abstained \_\_\_\_ whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA  
SS  
COUNTY OF SHERBURNE

On this 25th day of May, 2011 Notary Public, within and for said County, personally appeared Robert L. Hofer and Laura Hayes, to me personally known, being each duly sworn, did say that they are respectfully the Chairman of the Board and Town Clerk, of the Town of Big Lake, the municipal Township named in the foregoing instrument, was signed and sealed on behalf of said Township authority of its Town Board and they acknowledged said instrument to be the free act and deed of said municipal Township.

SEAL

\_\_\_\_\_  
NOTARY PUBLIC

**TOWN OF BIG LAKE  
ORDINANCE NO. 2005-02**

**RESOLUTION AND ORDINANCE ADOPTING COMPREHENSIVE PLAN,  
ZONING ORDINANCES AND SUBDIVISION ORDINANCES**

WHEREAS, on the 23<sup>rd</sup> of March, 2005, the Town Board of Big Lake Township, Sherburne County, Minnesota, created a Planning Commission by Ordinance.

WHEREAS, the Planning Commission held public hearings on April 27, 2005, to consider the adoption of a Comprehensive Plan, Zoning Ordinance and a Subdivision Ordinance.

WHEREAS, the Planning Commission of Big Lake Township has recommended the adoption of a Comprehensive Plan, said Plan being attached hereto as Exhibit A.

WHEREAS, the Planning Commission of Big Lake Township has recommended the adoption of a Zoning Ordinance, said Ordinance being attached hereto as Exhibit B.

WHEREAS, the Planning Commission of Big Lake Township has recommended the adoption of a Subdivision Ordinance, said Ordinance being attached hereto as Exhibit C.

WHEREAS, the Town Board of Big Lake Township made Findings in support of the aforementioned Ordinances and the Plan and explained the Planning Commission's recommendations and policy rationale for the adoption of the Ordinances and Plan.

**FINDINGS**

The Town Board of Big Lake Township, having reviewed the record of the proceedings and recommended Findings of the Planning Commission of Big Lake Township does hereby adopt each and every one of the Findings of the Planning Commission of Big Lake Township in support of adoption of a Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance as if fully set forth herein.

The Town Board determines hereby to adopt the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance attached hereto as Exhibits A through C and as recommended by the Planning Commission.

**ADOPTION OF ORDINANCE**

NOW, THEREFORE, pursuant to Minnesota § 462.358, the Town Board of Big Lake Township does hereby ordain as follows:

The Comprehensive Plan attached hereto as Exhibit A and recommended by the Planning Commission of Big Lake Township is hereby adopted in its entirety.

The Zoning Ordinance attached hereto as Exhibit B and recommended by the Planning Commission of Big Lake Township is hereby adopted in its entirety.

The Subdivision Ordinance attached hereto as Exhibit C and recommended by the Planning Commission of Big Lake Township is hereby adopted in its entirety.

## **SUMMARY**

The Town Board hereby adopts the following as its summary of the Subdivision Ordinance:

Public Notice. On the 27<sup>th</sup> day of April, 2005, the Township of Big Lake adopted the Subdivision Ordinance, which regulates all subdivision of land including lot splits, planning and other division of parcels of property. This Ordinance is applicable to all areas within the Township and governs any such division, splitting, or dividing of property. The terms of the Ordinance define what kinds of divisions of property are legal within the Township and what kinds are not, the Ordinance provides provisions regarding the process of developing property within the Township and the allocation of expenses and risk associated with that development. The Ordinance provides penalties for violations of its terms. A full copy of the Ordinance is available from the Town Clerk at (763) 263-8111 and during regular Township office hours which are Monday thru Thursday 8:00 a.m. to 3:00 p.m. and Friday 8:00 a.m. to Noon. A copy of the Ordinance has also been placed on file with Sherburne County.

The Town Board hereby adopts the following as its summary of the Zoning Ordinance:

Public Notice. On the 27<sup>th</sup> day of April, 2005, the Township of Big Lake adopted a Zoning Ordinance which regulates all land use activities in the Township, prescribes permitted uses, conditional uses and uses that are not allowed in the Township, provides procedures and definitions, and provides for enforcement of its terms by civil or criminal action. A full copy of the Ordinance is available from the Town Clerk at (763) 263-8111 and during regular Township office hours which are Monday thru Thursday 8:00 a.m. to 3:00 p.m. and Friday 8:00 a.m. to Noon. A copy of the Ordinance has also been placed on file with Sherburne County.

The Town Clerk is forthwith directed to publish, post and record the Ordinances as follows:

a. The Clerk of the Township is instructed to publish the Ordinances summaries in the West Sherburne Tribune newspaper in body type no smaller than

brevier or 8-  
point type.

b. The Clerk is instructed to record the Ordinances in the Town's Ordinance book within twenty days after publication of the title and Ordinances. Proof of said publication shall be attached to the recorded Ordinances.

c. The Clerk is instructed to file a copy of the full text of the Ordinances with Sherburne County and the Sherburne County Recorder, and to place a copy of the full text of the Ordinances in the Sherburne County library for public viewing.

d. A copy of the Comprehensive Plan shall be filed with each adjoining city or town.

Dated: April 27, 2005

---

Ewald Petersen, Board Chair

Attest:

---

Laura Hayes, Town Clerk

The following Town Board Members voted in favor: \_\_\_\_\_  
\_\_\_\_\_. The following Town Board Members voted against or abstained:  
\_\_\_\_\_.

STATE OF MINNESOTA  
SS  
COUNTY OF SHERBURNE

On this 27<sup>th</sup> of April, 2005 before me, a Notary Public, within and for said County, personally appeared Ewald Petersen and Laura Hayes, to me personally known, being each duly sworn, did say that they are respectfully the Chairman of the Board and Town Clerk, of the Town of Big Lake, the municipal Township named in the foregoing instrument, was signed and sealed on behalf of said Township authority of its Town Board and they acknowledged said instrument to be the free act and deed of said municipal Township.

SEAL

\_\_\_\_\_  
NOTARY PUBLIC

TMDL Wasteload Allocation Excel Spreadsheet PART II.D.6.a.-e.

Copy and paste from the Master List MS4 TMDL Spreadsheet for your MS4 to the space below.

Attach this completed form with your SWPPP Document at the time of submittal. At a minimum, provide all of the information "" items (TMDL Project Name, Type of WLA, Numeric WLA, Unit, Flow Condition, and Pollutant of Concern).

Permittee name	Preferred ID	TMDL project name*	Waterbody ID	Type of WLA*	Numeric WLA*	Unit*	Percent reduction	Flow condition*	Waterbody name	Pollutant of concern*	Date approved
Big Lake Township	MS400234	Elk River Watershed – Multiple Impairments TMDL	07010203-579	Categorical	0.13	tons/day		High	Elk River: Big Elk Lake to St. Francis	TSS	6/14/2012
Big Lake Township	MS400234	Elk River Watershed – Multiple Impairments TMDL	07010203-579	Categorical	0.05	tons/day		Moist	Elk River: Big Elk Lake to St. Francis	TSS	6/14/2012
Big Lake Township	MS400234	Elk River Watershed – Multiple Impairments TMDL	07010203-579	Categorical	0.03	tons/day		Mid-Range	Elk River: Big Elk Lake to St. Francis	TSS	6/14/2012
Big Lake Township	MS400234	Elk River Watershed – Multiple Impairments TMDL	07010203-579	Categorical	0.02	tons/day		Dry	Elk River: Big Elk Lake to St. Francis	TSS	6/14/2012
Big Lake Township	MS400234	Elk River Watershed – Multiple Impairments TMDL	07010203-579	Categorical	0.01	tons/day		Low	Elk River: Big Elk Lake to St. Francis	TSS	6/14/2012
Big Lake Township	MS400234	Elk River Watershed – Multiple Impairments TMDL	07010203-579	Categorical	539.43	10 <sup>9</sup> organisms/day	0%	High	Elk River: Big Elk Lake to St. Francis	E. Coli	6/14/2012
Big Lake Township	MS400234	Elk River Watershed – Multiple Impairments TMDL	07010203-579	Categorical	203.99	10 <sup>9</sup> organisms/day	0%	Moist	Elk River: Big Elk Lake to St. Francis	E. Coli	6/14/2012
Big Lake Township	MS400234	Elk River Watershed – Multiple Impairments TMDL	07010203-579	Categorical	101.84	10 <sup>9</sup> organisms/day	0%	Mid-Range	Elk River: Big Elk Lake to St. Francis	E. Coli	6/14/2012
Big Lake Township	MS400234	Elk River Watershed – Multiple Impairments TMDL	07010203-579	Categorical	61.01	10 <sup>9</sup> organisms/day	0%	Dry	Elk River: Big Elk Lake to St. Francis	E. Coli	6/14/2012
Big Lake Township	MS400234	Elk River Watershed – Multiple Impairments TMDL	07010203-579	Categorical	29.95	10 <sup>9</sup> organisms/day	0%	Low	Elk River: Big Elk Lake to St. Francis	E. Coli	6/14/2012
Big Lake Township	MS400234	Elk River Watershed – Multiple Impairments TMDL	05-0007-00	Categorical	0	lbs/day		N/A	Mayhew Lake	Phosphorus	6/14/2012

Compliance Schedule PART II.D.6.f.-g.

Is your MS4 currently meeting its WLA for any approved TMDLs?  
☐ NO (Complete Table 1, Strategies for continued BMP implementation beyond the term of this permit, and Table 2 below)  
☒ YES (Provide the following information below)  
If YES, indicate the WLAs (may be grouped by TMDL Project) you believe are reasonably being met. For each WLA, list the implemented BMPs and provide a narrative strategy for the long-term continuation of meeting each WLA. PART II.D.6.g.(1)-(2)

Mayhew Lake is located upstream in Benton County.  
Big Lake Township does not discharge to Mayhew Lake and will not be taking actions to address the impairment to this lake.

Table 1  
Fill in the following table with your Interim Milestones, BMP IDs, and Implementation Dates. Replace "TMDL Project Name & Pollutant" Columns with each TMDL Project Name and the corresponding pollutant. Then put an "X" in the boxes for the TMDL that corresponds with each BMP. PART II.D.6.f.(1)-(2)

NOTE:  
It is recommended to assign each Interim Milestone (BMP) a BMP ID. You will be required to report on the status of each Interim Milestone and include a BMP ID for all structural BMPs as part of the MS4 Annual Report (see Part III.E.), so including those ID numbers at the time of application may be useful in tracking implementation efforts. If a pond that will be included in the pond inventory (Part III.C.2.) is to be applied toward a WLA, use the same ID for both the pond inventory and TMDL tracking. Non-structural BMPs are not required to have an ID, but it may be useful to assign it an ID for internal MS4 recordkeeping.  
MPCA recommends the Implementation Dates align with the submittal of MS4 Annual Reports. Dates selected may not reflect the actual date a BMP is implemented, but shall indicate a BMP will be implemented on that date or before for that reporting year.

Interim Milestone (Best Management Practice)	BMP ID	Implementation Date	Elk River Watershed-TSS	Elk River Watershed - E. Coli
Public education campaign on illegal dumping, pet waste disposal, and reporting of illicit discharges.	1	2014-2018	TSS	E. Coli.
Partner with watershed district	2	2014-2018	TSS	E. Coli.
Joint Powers Agreement with Sherburne County - Township adopts and follows Sherburne County Ordinances and Solid Waste Ordinances.	3	2014-2018	TSS	E. Coli.
Annual Inspection by the Township Road Committee during Fall Road Tour	4	2014-2018	TSS	E. Coli.

Strategies for continued BMP implementation beyond the term of this permit. PART II.D.6.f.(3)  
The Township plans to continue to work with its partners and utilize the Sherburne SWCD and Sherburne County & Zoning Office to monitor and enforce protective rules and Ordinances for the impaired watershed, Elk River.

Table 2  
Target dates the applicable WLA(s) will be achieved. PART II.D.6.f.(4)

TMDL Project	Target Date to Achieve WLA
Elk River Watershed-Multiple Impairments TMDL / TSS & E. Coli	2043

**JOINT POWERS AGREEMENT  
REGARDING ZONING**

**COPY**

THIS AGREEMENT is entered into this 6th day of September, 2005, by and between the County of Sherburne ("County"), State of Minnesota and Big Lake Township ("Township"), a Minnesota political subdivision in Sherburne County, Minnesota.

**AUTHORITY**

This Agreement is entered into pursuant to Minn. Stat. § 471.59.

**PURPOSE**

The purpose of this Agreement shall be to create a unified and simplified method of zoning enforcement within Big Lake Township whereby the County shall undertake to perform on behalf of the Township all functions regarding administration and enforcement of the Township's Zoning Ordinance and Subdivision Ordinance (the "Ordinances") controls, including inspection, issuance of permits, enforcement and any and all other exercise of authority which may be legally delegated to the County by the Township.

**TERM**

This Agreement shall be effective from the date hereof under January 1, 2007. On January 1, 2007, and on January 1 of each subsequent year, the Agreement shall automatically renew for successive one year terms in perpetuity unless either gives notice to the other at least twelve months prior to the anticipated date of termination.

**DISTRIBUTION OF PROPERTY**

The parties do not anticipate the acquisition or retention of any significant property or assets under this Agreement. To the extent property or assets are amassed, then upon termination of this Agreement, that property or those assets shall be refunded or returned to the party which paid for or acquired the property or funds.

**APPOINTMENT OF ZONING ADMINISTRATOR**

The Township hereby appoints, and the County accepts the appointment of, the County Zoning Administrator or his or her employees or designees, as the County Zoning Administrator may in its sole discretion determine, to be the Zoning Administrator of the Ordinances with all powers provided to the Zoning Administrator therein.

**APPOINTMENT OF BOARD OF ADJUSTMENT**

The Township hereby appoints, and the County accepts the appointment of, the



County's appointed Board of Adjustment, as that Board may be constituted from time to time, to be the Board of Adjustment of Big Lake Township pursuant to the Township Subdivision Ordinance with all powers provided to the Board of Adjustment therein.

#### **APPOINTMENT OF COUNTY ATTORNEY**

The Township Board hereby appoints, and the County hereby accepts the appointment of, the County Attorney, or his or her employees or designees as the County Attorney may in his or her sole discretion determine, to act as Attorney for the Township for all matters of enforcement of the Township Zoning Ordinance and the Township Subdivision Ordinance and as is provided for in Minnesota Statutes and the laws of this State.

The Township recognizes and respects the prosecutorial discretion vested with the County Attorney's office and acknowledges that that discretion shall be preserved under the terms hereof. In the event the Township refers the matter to the County Attorney seeking prosecution and the County Attorney determines, for whatever reason within the County Attorney's discretion, not to pursue that matter, the County Attorney shall notify the Town Board, in writing, within 20 days of his or her decision not to pursue the matter. In the event of any such notification, the power to enforce the Ordinances with regard to the matter or matters described in the notification, shall revert to the Township which may determine to have its own attorneys undertake prosecution or enforcement.

#### **COMPENSATION**

The parties agree there shall be no compensation exchanged for any services or obligations described hereunder. The parties agree and find this Agreement serves a public purpose and will serve to facilitate and clarify the relationship between the parties and that no compensation is therefore required.

Though there will not be fees for services under this Agreement, the Township shall be responsible for paying the reasonable and actual expenses of the County for such incidental costs as photocopies or actual expenditures, at the usual County rates. The parties hereto may agree upon an adjusted rate schedule for Big Lake Township which passes these costs on to developers or other applicants, but in any event the Township will be responsible to see to it that such incidental expenses as described herein that the County may incur in dealing with performance under this Agreement are compensated by the Township.

#### **RESPONSIBILITIES OF THE PARTIES**

The Township shall be responsible for the making of any decisions that are required to be made by the Town Board pursuant to the Ordinances, and shall be responsible, pursuant to the Joint Powers enabling legislation, for any decisions that would otherwise to the responsibility of the County Board for any matters that arise under the Ordinances for which approval may be required under the terms of the

Ordinances, or any County Ordinance, of both Boards. The Township shall not be responsible for any decisions of the County Board that are not also called for under the Ordinances. Any such decision making shall remain with the County Board.

The County and its staff and appointed officials shall be responsible for all other matters necessary for administration of the Ordinances and County Ordinances. As is set forth herein, the County Board of Adjustment and the County Planning Commission shall act as Board of Adjustment and the Planning Commission for the Township, and the County Board of Adjustment and County Zoning Administration shall act as for the Township. County planning and zoning staff shall not be required to attend Township meetings to deal with applications, except in a situation of extraordinary circumstances in the nature of the application or other factors which shall make such an appearance, in the opinion of the Town Board, necessary. Under such circumstances, the Town Board shall pass a motion or resolution in its minutes requesting the attendance of the County zoning staff and the Town Board, or the applicant, but in no circumstances shall the County be responsible for the actual and reasonable cost of County staff in attending the Township meeting. In lieu of attendance, the County staff will prepare a written report/summary of the plat or other request for Township review. The summary will deal with the plat or request, list any concerns or recommendations for conditions should the plat or request be approved by the Township.

Except as is expressly set forth herein, it is the intent of the parties that all those operational obligations which may be delegated by the Township to the County hereunder be so delegated, and the parties agree that this Agreement and any question about whether a particular right, power or obligation has been delegated to the County shall be resolved in favor of such delegation unless the power be expressly reserved hereunder or unless the delegation be not legal under Minnesota law.

### FEES AND COSTS

It is the intention of the parties that all fees and costs associated with this Agreement and governmental activities associated with the Ordinances shall be borne, to the maximum extent possible permissible under law by applicants or private parties seeking approval, etc. thereunder. The parties agree to jointly prepare a fee/rate structure schedule which will ensure that the County is compensated for its costs hereunder. That Schedule should be attached hereto as Exhibit A and may be separately amended from time to time by writings signed by both parties.

### LIABILITY

Each party shall bear responsibility for its own liabilities and to be responsible for its own actions and the actions of its agents, delegees and employees hereunder. Neither party shall have the obligation to defend or indemnify the other, except in the event of a final court decree awarding monetary damages against one party, where the findings associated with the Judgment or Decree indicate that the damages were caused by the other party, then the party causing the damages shall indemnify the party against who damages were awarded, to the extent of the fault of the at-fault party.

CONTROLLING LAW

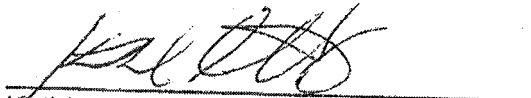
The parties agree that this Joint Powers Agreement shall be construed in accordance with the laws of the State of Minnesota.

SO AGREED:


COUNTY OF SHERBURNE



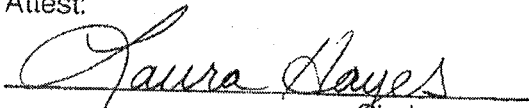
AGREED AS TO THOSE PORTIONS PERTAINING TO  
OBLIGATION OF THE OFFICE OF COUNTY ATTORNEY:

  
Kathleen Heaney, County Attorney

BIG LAKE TOWNSHIP

  
Board Chair

Attest:

  
Clerk